

# EXHIBIT

A

UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF WYOMING

- 00000 -

STEPHANIE WADSWORTH, :  
Individually and as :  
Parent and Legal :  
Guardian of W.W., K.W., :  
G.W. and L.W., minor : Case No.  
children, and MATTHEW : 2:23-cv-00118-NDF JURY  
WADSWORTH, :  
  
Plaintiff, :  
  
v. :  
  
WALMART, INC. and JETSON :  
ELECTRIC BIKES, LLC, :  
  
Defendants.

DEPOSITION OF STEPHANIE WADSWORTH  
TAKEN THROUGH  
VERITEXT

Taken on Tuesday, February 27, 2024  
8:59 a.m. to 12:55 p.m.

At HAMPTON INN  
1055 Wild Horse Canyon Road  
Green River, Wyoming 82935

Job No. CS6457160

Reported by: Abigail D.W. Johnson, RPR, CRR, CRC

1 A. Yes.

2 Q. And Matthew is a smoker as well; correct?

3 A. Yes.

4 Q. Okay. And how much does he smoke a day?

5 A. I don't know. I'm not him.

6 Q. Okay. Does he -- does it appear that he  
7 roughly smokes consistent with what you smoke per day?

8 A. Yes.

9 Q. Okay. And when you smoke a pack a day, I  
10 assume cigarettes as opposed to cigars or something  
11 else?

12 A. Correct.

13 Q. Okay. Any marijuana use?

14 A. No.

15 Q. Any other drug use?

16 A. No.

17 Q. How about Matthew? Any marijuana use for  
18 him?

19 A. No.

20 Q. Any other drug use for him?

21 A. No.

22 Q. How long have you smoked?

23 A. Twenty years.

24 Q. Okay. Any alcohol consumption?

25 A. Yes.

1 Q. How often is that?

2 A. Most days.

3 Q. And what's the average daily alcohol  
4 consumption?

5 A. I don't know. I don't keep track.

6 Q. Okay. Is it beer, wine or liquor?

7 A. Liquor.

8 Q. Okay. And what's the -- any special type?

9 A. Jäger.

10 Q. Okay. There is some reference in your  
11 records to whisky as well, is that --

12 A. I consider Jäger whisky.

13 Q. Oh, okay. It might be.

14 A. I think it's actually a liqueur, but I  
15 don't know what the difference between a liqueur and a  
16 whisky is.

17 Q. Roughly, how many drinks per day?

18 A. I don't know.

19 Q. Okay. More than five?

20 A. Yes.

21 Q. More than ten?

22 A. Maybe.

23 Q. Okay. And was that consistent with before  
24 the fire as well?

25 A. It's worse now.

1 Q. Okay. How was it before the fire?

2 A. It was --

3 Q. As far as, what was your average daily  
4 alcohol intake?

5 A. Not a lot less than now.

6 Q. Okay. So somewhere around ten or so?

7 A. Sure.

8 Q. Have you ever had any alcohol-related  
9 treatment?

10 A. No.

11 Q. Do you vape at all?

12 A. No.

13 Q. Have you ever?

14 A. I might have --

15 Q. Not just, like, once or twice, but --

16 A. Oh, no.

17 Q. Okay. How about Matthew, does he vape?

18 A. Yes.

19 Q. Did he before the fire?

20 A. I don't know.

21 Q. Okay.

22 MR. LAFLAMME: I'm going to mark this as  
23 Exhibit 42.

24 (Exhibit No. 42 was marked

25 for identification.)

1 Q. Okay. You just didn't want to smoke in the  
2 house because of the kids?

3 A. I don't smoke around -- enclosed around the  
4 kids --

5 Q. Okay.

6 A. -- ever.

7 Q. So when you were home and you would smoke,  
8 you would use the smoking shed in the winter?

9 A. Yes.

10 Q. Okay. Was the smoking shed used for  
11 anything else other than smoking?

12 A. No.

13 Q. Did you use the smoking shed the evening  
14 before the fire?

15 A. Yes.

16 Q. Would you have used it multiple times the  
17 day before the fire?

18 A. The day before?

19 Q. Correct.

20 A. Yes.

21 Q. Okay. So basically, throughout the day and  
22 then into the evening whenever you would have had a  
23 cigarette the day before, you would have used the  
24 smoking shed?

25 A. Yes.

1 Q. Okay. And would you have used the space  
2 heater that was in there as well?

3 A. Every time? No.

4 Q. Okay. Some of the times that day you would  
5 have used the space heater?

6 A. When it got colder, yes.

7 Q. Okay. So during the evening hours it would  
8 have been more likely that you would have used the  
9 space heater than during the daylight hours?

10 A. Yes.

11 Q. And what was in -- by way of furnishings,  
12 in the smoking shed?

13 A. There was two chairs, a nightstand and a  
14 blanket.

15 Q. Two chairs, one night stand?

16 A. Yes.

17 Q. Okay. What were the two chairs made out  
18 of?

19 A. One of them was plastic and metal.

20 Q. Like a folding chair?

21 A. No. Like a cheap doctor's office lobby  
22 chair.

23 Q. Okay.

24 A. Like a plastic seat with metal.

25 Q. All right. So it was permanently affixed,

1 A. It was, like, camping pads, padded eggshell  
2 foam on the floor.

3 Q. Okay.

4 A. Can I clarify when I say when I went to  
5 bed?

6 Q. Sure.

7 A. 2:00 a.m. is when I got into bed, not when  
8 I went outside to go to bed.

9 Q. Okay. Let me clarify that because I'm  
10 not --

11 A. Okay.

12 Q. -- I'm not 100 percent sure what you're  
13 saying.

14 So 2:00 a.m. is when you got in bed to go  
15 to sleep?

16 A. Correct.

17 Q. Okay, but before you got into bed at  
18 2:00 a.m., you would have had a cigarette before going  
19 to bed?

20 A. Correct.

21 Q. Okay. Was that the clarification that you  
22 wanted to make?

23 A. Yeah. One of the questions you said  
24 outside at 2:00 a.m. I wouldn't have been outside at  
25 2:00 a.m.

1 Q. Okay. You would have been outside a little  
2 bit before 2:00 a.m., because 2:00 a.m. is when you  
3 went to bed?

4 A. Correct.

5 Q. All right. And how soon before going to  
6 bed do you typically have your last cigarette, within,  
7 like, a half hour?

8 A. Yes.

9 Q. Okay. And did you have any alcohol the  
10 night of January 31st?

11 A. Yes.

12 Q. Okay. Do you know how much you had that  
13 evening?

14 A. No.

15 Q. Would it have been a typical day for  
16 alcohol consumption for you?

17 A. Yes.

18 Q. As far as when you would consume alcohol,  
19 is it more at night or is it throughout the day?

20 A. More at night.

21 Q. Okay. So is it once the kids go down --

22 A. Yes.

23 Q. -- then you will have some alcohol?

24 A. Yes.

25 Q. And do you know, was it Jäger that you were

1 REPORTER'S CERTIFICATE  
22 STATE OF UTAH )  
33 )  
4 COUNTY OF SALT LAKE )  
56 I, ABIGAIL D.W. JOHNSON, a Certified  
7 Shorthand Reporter and Registered Professional  
8 Reporter, hereby certify:9 THAT the foregoing proceedings were  
10 taken before me at the time and place therein set  
11 forth, at which time the witness was placed under oath  
12 to tell the truth, the whole truth, and nothing but the  
13 truth; that the proceedings were taken down by me in  
14 shorthand and thereafter my notes were transcribed  
15 through computer-aided transcription; and the foregoing  
16 transcript constitutes a full, true, and accurate  
record of such testimony adduced and oral proceedings  
had, and of the whole thereof.17 I FURTHER CERTIFY that I am not a  
18 relative or employee of any attorney of the parties,  
19 nor do I have a financial interest in the action.

20 (X) Review and signature was requested.

21 ( ) Review and signature was waived.

22 ( ) Review and signature was not requested.

23 I have subscribed my name on this  
24 9th day of March, :   
25

ABIGAIL D.W. JOHNSON, RPR, CRR, CRC